

1 CHARLES D. JENKINS - SBN 114897  
2 DAN D. KIM - SBN 212577  
3 JENKINS GOODMAN NEUMAN & HAMILTON LLP  
4 417 Montgomery Street, 10<sup>th</sup> Floor  
5 San Francisco, California 94104  
6 Telephone: 415-705-0400  
7 Facsimile: 415-705-0411  
8  
9 DAVID L. HARTSELL - Appearing *Pro Hac Vice*  
10 MCGUIREWOODS, LLP  
11 77 W. Wacker Drive, Suite 4100  
12 Chicago, IL 60601  
13 Telephone: 312-558-1000  
14 Facsimile: 312-759-8600  
15  
16 Attorneys for Defendant  
17 AMERICAN CORRECTIVE COUNSELING  
18 SERVICES, INC.  
19



11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION  
13

14 ELENA DEL CAMPO, et al.

15 Plaintiffs,

16 vs.

17 AMERICAN CORRECTIVE  
18 COUNSELING SERVICES, INC., et al.

19 Defendants.

No. C 01-21151 JW PVT

**JOINT REQUEST AND ORDER  
CONTINUING CASE MANAGEMENT  
CONFERENCE**

**DATE: August 13, 2007**

**TIME: 10:00 a.m.**

**DEPT: 8 – Judge Ware**

20 For reasons set forth below, the parties request that the next Case Management  
21 Conference, currently scheduled for August 13, 2007, be continued to October 29, 2007.

22 Defendant/Appellant American Corrective Counseling Services, Inc. (“ACCS”) has  
23 established jurisdiction in the Court of Appeals for the Ninth Circuit seeking review of His  
24 Honor’s December 5, 2006 Order to the extent it denied defendant/appellant’s claim of right to  
25 11th Amendment immunity. On July 5, 2007, ACCS filed its opening brief. On July 13,  
26 2007, *Amici*, the California District Attorneys Association, filed an Amicus Curiae Brief

1 accompanied by its motion for leave. Plaintiffs'/Appellees' responsive brief is due to be filed  
2 on August 6, 2007. Thereafter, any optional reply brief is due to be filed on August 13, 2007.

3 Pending before this court is ACCS' Motion For Stay, scheduled to be heard on  
4 September 17, 2007. In addition, on July 24, 2007, Magistrate Judge Trumbull ordered the  
5 hearing date for two discovery motions filed by plaintiffs continued to November 6, 2007. It  
6 is anticipated that hearing date will be rescheduled to October 30, 2007.

7 The next Case Management Conference is currently scheduled for August 13, 2007.  
8 The parties respectfully submit that there is no need for a Case Management Conference to  
9 occur before His Honor rules on ACCS' pending Motion for Stay.

10 Accordingly, the parties in the above-entitled action jointly request that the court  
11 continue the Case Management Conference from August 13, 2007 at 10:00 a.m. to October 29,  
12 2007 at 10:00 a.m.

13 **SO STIPULATED.**

14 Dated: July 26, 2007

JENKINS, GOODMAN, NEUMAN &  
HAMILTON LLP

16 By:/s/

17 CHARLES D. JENKINS  
DAN D. KIM  
18 Attorneys for Defendant American Corrective  
Counseling Services, Inc.  
19

20 Dated: July 26, 2007

LAW OFFICES OF PAUL ARONS

22 By:/s/

23 PAUL ARONS  
Attorneys for Plaintiffs  
24

1 Dated: July 26, 2007

ROSS, DIXON & BELL LLP

2

3

By:/s/

4

TIMOTHY P. IRVING  
Attorneys for Defendants Don Mealing,  
Lynn Hasney, Fundamental Performance  
Strategies, Fulfillment Unlimited, Inc.,  
Fundamentals and ACCS Administration, Inc.

5

6

**IT IS SO ORDERED.**

7

The Case Management Conference is continued to October 29, 2007 at 10 am. The  
parties shall file a joint Case Management Statement no later than October 19, 2007.

8

9

Dated: July 30, 2007

  
HON. JAMES WARE, JUDGE  
United States District Court

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

Jenkins Goodman  
Neuman & Hamilton  
LLP  
417 Montgomery St.  
10th Floor  
San Francisco, CA  
94104